

REMARKS

Entry of the foregoing, re-examination and reconsideration of the subject matter identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.114, and in light of the remarks which follow, are respectfully requested.

Initially, Applicant wishes to acknowledge the interview held on October 4, 2005 between Examiner Shosho and Applicants' Representative. The Examiner's courtesy and helpful suggestions are acknowledged with appreciation.

Claim 23 has been amended to specify that the reinforcing filler is a blend of carbon black and silica and where the amount of silica is greater than the amount of carbon black. Support for this feature may be found in the specification in the formulations of Table 1, tests 1 and 2 (page 10); Table 3, tests 8-12 (page 13); Table 5, tests 14-17 (page 16); and Table 6, tests 15-17 (page 17). Claim 23 also has been amended to specify that the carbon black/silica blend is present in an amount between 15 and 50 phr. Support may be found on page 4, line 2 and page 6, line 20.

Claim 29 has been amended to specify that the reinforcing filler is silica.

New claims 35-40 have been added. Support for the new claims may be found as follows: claim 35 (page 6, paragraph 2); claim 36 (page 6, line 11); claims 37-40 (page 4).

Upon entry of the present amendments, claims 23-40 will be pending in this application.

Claims 23-25 and 29-31 were finally rejected under 35 U.S.C. §103(a) as obvious over U.S. Patent No. 6,776,206 (Segatta et al.) in view of JP 09302146. Claims 26, 27, 32 and 33 were finally rejected under 35 U.S.C., §103(a) as obvious over Segatta et al. '206 in view of JP '146 and further in view of U.S. Patent No. 6,008,295 (Takeichi et al.)). Claims 26, 28, 32 and 34 were finally rejected under 35 U.S.C. §103(a) as obvious over Segatta et al.

'206 in view of JPO '146 and further in view of U.S. Patent No. 5,844,050 (Fukahori et al.).

Reconsideration and withdrawal of these rejections are requested for at least the following reasons.

In Segatta et al '206, silica is merely an optional ingredient which, if selected, is used in amounts of 5-25 phr (column 4, lines 3-4). Carbon black is preferably used in amounts of 30-60 phr (column 3, last line to column 4, line 1). Thus, in Example 2 of this document where the formulation contains "conventional amounts" of carbon black, and also silica, those of ordinary skill would expect that the amount of carbon black exceeds that of silica. There is nothing in the disclosure of Segatta et al '206 which would motivate those of ordinary skill in the art to employ a carbon black/silica mixture in an amount of 15-50 phr and where the silica content is greater than the carbon black content.

Moreover, when one compares the properties of a test formulation containing equal amounts of carbon black and silica (test 14, Table 5, page 16) with that of formulations where the amount of silica exceeds that of carbon black (tests 14-16, Table 5), it is seen that the tearability (TEB measuring the cohesion of the composition) of test 15-17 is significantly better than that of test 14 (see Table 6, page 17). This result could not have been predicted from the disclosure of Segatta et al '206.

With regard to claim 29, where the sole reinforcing filler is silica, Segatta et al '206 does not recognize silica as a reinforcing filler since it is listed in column 3 as a "commonly used additive". Only carbon black is identified as a reinforcing material (column 3, lines 60-61). There is no disclosure in this document which suggests an elastomeric matrix containing silica as the sole reinforcing filler.

Further, the TEB value of a test formulation containing silica (UVN3) as the sole reinforcement (test 13, Table 5) is significantly higher than that in test 14 which contains a

blend of carbon black and silica in equal amounts. See Table 6, page 17. This result could not have been predicted from the disclosures of the cited art.

For at least the foregoing reasons, the §103(a) rejections based on the prior art should be reconsidered and withdrawn. Such action is earnestly solicited.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned at (703) 838-6683 at her earliest convenience.

Respectfully submitted,

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